

1989 No. 1 (C. 1)

**CRIMINAL LAW, ENGLAND AND WALES
CRIMINAL LAW, NORTHERN IRELAND**

**The Criminal Justice Act 1988 (Commencement No. 5)
Order 1989**

Made - - - - 3rd January 1989

In exercise of the powers conferred on me by section 171(1) of the Criminal Justice Act 1988 (a), I hereby make the following Order:

1. This Order may be cited as the Criminal Justice Act 1988 (Commencement No. 5) Order 1989.

2. The following provisions of the Criminal Justice Act 1988 shall come into force on 1st February 1989—

- (a) sections 35 and 36 (reviews of sentencing);
- (b) Schedule 3 (reviews of sentencing – supplementary);
- (c) section 170(1) (minor and consequential amendments) to the extent necessary to bring into force the provisions of Schedule 15 specified in the following paragraph; and
- (d) so much of Schedule 15 (minor and consequential amendments) as amends the following enactments—
 - (i) the Judicature (Northern Ireland) Act 1978 (c.23);
 - (ii) section 44 of the Criminal Appeal (Northern Ireland) Act 1980 (c.47); and
 - (iii) the Supreme Court Act 1981 (c.54).

Home Office
3rd January 1989

Douglas Hurd
One of Her Majesty's Principal Secretaries of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st February 1989 in England and Wales and Northern Ireland sections 35 and 36 of, and Schedule 3 to, the Criminal Justice Act 1988 and associated amendments. These provisions empower the Court of Appeal on a reference from the Attorney General to review for undue leniency the sentencing of persons convicted in the Crown Court of certain offences, to quash any sentence passed by the Crown Court, and to pass an appropriate sentence in its place.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by Commencement Orders before the date of this Order—

<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 123, Schedule 8, sections 125 to 128, Schedule 10, section 170(1) (partially), Schedule 15 (partially) and Schedule 16 (partially)	1.10.1988	1988/1408
Sections 33, 34, 37 to 39, 40 to 42, 49, 51 to 57, 59, 63, 70, 96, 97, 104 to 107, 121, 122, 131 to 133, 145, 147, 148, 155 to 157, 163 to 165, 170(1) (partially), 170(2) (partially), Schedule 11, Schedule 12, Schedule 15 (partially) and Schedule 16 (partially)	12.10.1988	1988/1676
Sections 124 and Schedule 9, section 170(2) (partially), and Schedule 16 (partially)	1.11.1988	1988/1817 (S.169)
Sections 32 (partially), 50, 60 to 62, 118, 120, 130, 152 to 154, 170(1) (partially), 170(2) (partially), Schedule 15 (partially), Schedule 16 (partially)	5.1.1989	1988/2073.

45p net

ISBN 0 11 096001 7

Printed in the United Kingdom for Her Majesty's Stationery Office

790/WO 0027 C30 1/89 452/1 9385/5216/4731 PS 8910371